

UNITED STATES DISTRICT COURT
for the
Eastern District of California

UNITED STATES OF AMERICA,

v.

JUAN CARLOS AVILA

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Case No. 1:24-CR-00053-JLT

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at:

United States District Courthouse

Place

2500 Tulare Street, Fresno CA 93721

on May 14, 2025, at 2:00 PM in Courtroom 10 (EPG) before Magistrate Judge Erica Grosjean

Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance and Compliance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- ☒ (6) The defendant is placed in the custody of

Name of person or organization: **Barbara Gutierrez**

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

SIGNED: 

CUSTODIAN

- ☐ (7) The defendant must:
- ☐ (a) report on a regular basis to the following agency:
United States Probation and comply with their rules and regulations;
 - ☐ (b) report in person to the Probation office on the first working day following your release from custody;
 - ☐ (c) reside at a location approved by the Probation office, and not move or be absent from this residence without prior approval of Probation Officer;
 - ☐ (f) travel restricted to _____, unless otherwise approved in advance by Probation Officer;
 - ☐ (d) report any contact with law enforcement to your Probation Officer within 24 hours;
 - ☐ (e) maintain or actively seek employment, and provide proof thereof to the Probation Officer upon request;
 - ☐ (f) maintain or commence an educational program;
 - ☐ (g) not associate or have any contact with: _____ unless in the presence of counsel or otherwise approved in advance by the Probation Officer;
 - ☐ (h) not possess, have in your residence, or have access to a firearm/ammunition, destructive device, or other dangerous weapon; additionally, you must provide written proof of divestment of all firearms/ammunition, currently under your control;
 - ☐ (i) refrain from (excessive) (any) use of alcohol, or any use of a narcotic drug or other controlled substance without a prescription by a licensed medical practitioner; and you must notify Probation immediately of any prescribed medication(s). However, medical marijuana, prescribed and/or recommended may not be used;
 - ☐ (j) submit to drug and/or alcohol testing as approved by the Probation Officer. You must pay all or part of the costs of the testing services based upon your ability to pay, as determined by the Probation Officer;
 - ☐ (k) report any prescriptions to Probation Officer within 48 hours of receipt;
 - ☐ (l) take all medications as prescribed by a licensed medical practitioner;
 - ☐ (m) participate in a program of medical or psychiatric treatment, including treatment for drug or alcohol dependency, as approved by the Probation Officer; you must pay all or part of the costs of the counseling services based upon your ability to pay, as determined by the Probation Officer. You shall enroll and participate in the program at _____;
 - ☐ (n) surrender your passport to the Clerk, United States District Court, and you must not apply for or obtain a passport or any other travel documents during the pendency of this case;
 - ☐ (o) not apply for or obtain a passport or other traveling documents during the pendency of this case;
 - ☐ (p) not view or possess child pornography as defined by 18 USC 2256(8), except in the presence of your attorney to prepare for your defense;
 - ☐ (q) not access the Internet and you must provide proof of the disconnection or termination of this service as required by the Probation Officer;
 - ☐ (r) not use or possess a computer or any device capable of accessing the Internet in your residence or at any other location, unless otherwise approved by the Probation Officer;
 - ☐ (s) Probation must advise your employer of the conditions of release that may limit your work-related use of a computer or limit your work activities;
 - ☐ (t) not loiter or be found within 100 feet of any school yard, park, playground, arcade, movie theater, or other place primarily used by children under the age of 18;
 - ☐ (u) not associate or have verbal, written, telephonic or electronic communication with any person who is under the age of 18, except in the presence of another adult who is the parent or legal guardian of the minor;
 - ☐ (v) not be employed or participate in any volunteer activities in which there is the likelihood of contact with children under the age of 18;
 - ☐ (w) provide the probation officer with access to any requested financial information and authorize the release of any financial information. The probation officer may share financial information with the U.S. Attorney's Office.
 - ☐ (x) not incur new credit charges or open additional lines of credit without the approval of the probation officer
 - ☐ (y) not use any device offering Internet access as a means of accessing any material that relates to the criminal activity charged in the pending allegations;
 - ☐ (z) You will be monitored with location monitoring technology, which may include the use of Radio Frequency (RF), Global Positioning System (GPS) devices, Voice Recognition or Virtual Monitoring Technology, at the discretion of the probation officer, and comply with its requirements.
 - a. The location monitoring technology will be used to monitor the following restriction on your movement in the community:
 - ☐ You are restricted to your residence every day from _____ to _____ (curfew)

- ☐ You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities in advance as pre-approved by the supervising officer. **(home detention)**
- ☐ You are restricted to your residence at all times except for medical necessities and court appearances or other activities specifically approved by the court. **(home incarceration)**
- ☐ You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court **(Stand Alone Monitoring)**. Note: Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.
- b. You must follow the rules and regulations of the location monitoring program. Your co-payment will be determined utilizing a Sliding Fee Scale based on your disposable income.

All prior orders remain in full force and effect.

USMS SPECIAL INSTRUCTIONS:

- ☐ (y) have your release on bond delayed until (date & time).

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

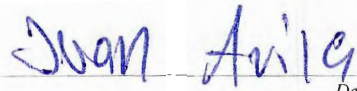
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

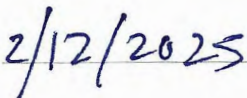


Defendant's Signature

Directions to the United States Marshal

(X) The defendant is ORDERED released after processing.

Date:




Judicial Officer's Signature

Sheila K. Oberto, United States Magistrate Judge

Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL